

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**SCOTT EASOM, ADRIAN HOWARD, and  
JOHN NAU, on behalf of themselves and on  
behalf of all others similarly situated,**

**Plaintiffs,**

**V.**

**US WELL SERVICES, LLC**

**Defendant.**

**CIVIL ACTION NO 4:20-CV-02995**

**DECLARATION OF DEAN FULLERTON**

I, Dean Fullerton, make this Declaration (“Declaration”) under the penalty of perjury, pursuant to 28 U.S.C. § 1746, and state as follows:

1. I am an individual over the age of 18 and am competent to testify. I have personal knowledge as to the matters set forth in this Declaration.
2. I am the Vice President of Human Resources Operations for ProFrac and prior to that was the Vice President of Human Resources for U.S. Well Services, LLC (“USWS”) from February 1, 2017 to November 1, 2022.
3. I have analyzed the spreadsheet of information that USWS provided to Plaintiffs on September 21, 2022 (“the Spreadsheet”). The Spreadsheet is attached as Exhibit 1 to USWS’s Opposition to the Amended Motion to Certify Rule 23 Class Action. The Spreadsheet contains information related to the employment and termination of USWS’s workers from December 1, 2019 to September 30, 2020.

4. Based on the information contained in the Spreadsheet, USWS first terminated individuals in Pleasanton, TX, Bryan, TX, and San Angelo, TX on March 5, 2020.
5. Based on the information contained in the Spreadsheet, and excluding “part time” workers as that term is defined in 29 U.S.C. § 2101(a)(8), USWS laid off approximately 56 employees in Pleasanton, approximately 66 employees in Bryan, and approximately 96 employees in San Angelo in the 30-day period from March 5, 2020 to April 4, 2020.
6. Based on the information contained in the Spreadsheet, fourteen (14) USWS employees who were laid off at the Pleasanton production facility between March 1, 2020 and May 31, 2020 were rehired within 6 months of their termination. Based on the information contained in the Spreadsheet, sixteen (16) USWS employees who were laid off at the San Angelo production facility between March 1, 2020 and May 31, 2020 were rehired within 6 months of their termination.
7. Based on the information contained in the Spreadsheet, several UWS employees voluntarily departed their employment from USWS between March 1, 2020 and May 31, 2020. Those employees worked out of the USWS locations in Bryan, TX; Pleasanton, TX; and San Angelo, TX.
8. Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that I have read the foregoing Declaration and that it is true and correct to the best of my knowledge, information, and belief. I am signing this Declaration of my own free will, and no one coerced me to do so.

1/27/2023

**Signed this \_\_\_\_ day of January 2023**

DocuSigned by:

*Dean Fullerton*

DEAN FULLERTON